

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

## **An Act Regarding MaineCare Prescription Drug and Tobacco Sales**

**Be it enacted by the People of the State of Maine as follows:**

**Sec. 1. 22 MRSA §1555-C**, as enacted by PL 2003, c. 444, §2, is repealed.

**Sec. 2. 22 MRSA §1555-D**, as enacted by PL 2003, c. 444, §2, is repealed.

**Sec. 3. 22 MRSA §3174-M, sub-§2-A, ¶C** is enacted to read:

C. A decision for a drug formulary may not be based solely on the amount of the anticipated prescription drug rebate or financial benefits that the State would receive as a result of adding or deleting the drug to the list of drugs subject to reimbursement and coverage under the MaineCare program.

### **SUMMARY**

This bill prohibits Medicaid drug formulary decisions from being based solely on the amount of the anticipated prescription drug rebate or financial benefits that the State would receive as a result of adding or deleting the drug to the list of drugs subject to reimbursement and coverage under the MaineCare program. It also repeals the restrictions on delivery sales and illegal delivery of tobacco products in the State.